



General Assembly

Substitute Bill No. 5057

February Session, 2002

AN ACT INCREASING THE MINIMUM WAGE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (j) of section 31-58 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2002*):

4 (j) "Minimum fair wage" in any industry or occupation in this state
5 means a wage of not less than [two dollars and sixty-six cents per
6 hour, and effective January 1, 1979, not less than two dollars and
7 ninety-one cents per hour, and effective January 1, 1980, not less than
8 three dollars and twelve cents per hour, and effective January 1, 1981,
9 not less than three dollars and thirty-seven cents per hour, and
10 effective October 1, 1987, not less than three dollars and seventy-five
11 cents per hour, and effective October 1, 1988, not less than four dollars
12 and twenty-five cents per hour, and effective January 1, 1999, not less
13 than five dollars and sixty-five cents per hour, and effective January 1,
14 2000, not less than six dollars and fifteen cents per hour, and effective
15 January 1, 2001, not less than six dollars and forty cents per hour, and
16 effective January 1, 2002,] six dollars and seventy cents per hour, and
17 effective January 1, 2003, not less than six dollars and ninety cents per
18 hour, and effective January 1, 2004, not less than seven dollars and ten
19 cents per hour, or one-half of one per cent rounded to the nearest
20 whole cent more than the highest federal minimum wage, whichever is
21 greater, except as may otherwise be established in accordance with the

22 provisions of this part. All wage orders in effect on October 1, 1971,
23 wherein a lower minimum fair wage has been established, are
24 amended to provide for the payment of the minimum fair wage herein
25 established except as hereinafter provided. Whenever the highest
26 federal minimum wage is increased, the minimum fair wage
27 established under this part shall be increased to the amount of said
28 federal minimum wage plus one-half of one per cent more than said
29 federal rate, rounded to the nearest whole cent, effective on the same
30 date as the increase in the highest federal minimum wage, and shall
31 apply to all wage orders and administrative regulations then in force.
32 The rates for learners, beginners, and persons under the age of
33 eighteen years shall be not less than eighty-five per cent of the
34 minimum fair wage for the first two hundred hours of such
35 employment and equal to the minimum fair wage thereafter, except
36 institutional training programs specifically exempted by the
37 commissioner.

38 Sec. 2. Subsection (b) of section 31-60 of the general statutes, as
39 amended by section 2 of public act 01-42, is repealed and the following
40 is substituted in lieu thereof (*Effective July 1, 2002*):

41 (b) The Labor Commissioner shall adopt such regulations, in
42 accordance with the provisions of chapter 54, as may be appropriate to
43 carry out the purposes of this part. Such regulations may include, but
44 are not limited to, regulations defining and governing an executive,
45 administrative or professional employee and outside salesperson;
46 learners and apprentices, their number, proportion and length of
47 service; piece rates in relation to time rates; and shall recognize, as part
48 of the minimum fair wage, gratuities in an amount equal to
49 twenty-three per cent of the minimum fair wage per hour for persons
50 employed in the hotel and restaurant industry, including a hotel
51 restaurant, and not to exceed thirty-five cents per hour in any other
52 industry, and shall also recognize deductions and allowances for the
53 value of board, in the amount of eighty-five cents for a full meal and
54 forty-five cents for a light meal, lodging, apparel or other items or
55 services supplied by the employer; and other special conditions or

56 circumstances which may be usual in a particular employer-employee
 57 relationship. [Notwithstanding the provisions of this subsection: (1)
 58 For the period commencing January 1, 2001, and ending December 31,
 59 2001, such regulations shall recognize, as part of the minimum fair
 60 wage, gratuities in an amount equal to (A) twenty-six per cent of the
 61 minimum fair wage per hour for persons employed in the hotel and
 62 restaurant industry, including a hotel restaurant, and (B) three and
 63 nine-tenths per cent of the minimum fair wage per hour for persons
 64 employed as bartenders who customarily and regularly receive
 65 gratuities; and (2)] Notwithstanding the provisions of this subsection,
 66 for the period commencing January 1, 2002, and ending [December 31,
 67 2002] December 31, 2004, such regulations shall recognize, as part of
 68 the minimum fair wage, gratuities in an amount equal to [(A)] (1)
 69 twenty-nine and three-tenths per cent of the minimum fair wage per
 70 hour for persons employed in the hotel and restaurant industry,
 71 including a hotel restaurant, and [(B)] (2) eight and two-tenths per cent
 72 of the minimum fair wage per hour for persons employed as
 73 bartenders who customarily and regularly receive gratuities. The
 74 commissioner may provide, in such regulations, modifications of the
 75 minimum fair wage herein established for learners and apprentices;
 76 persons under the age of eighteen years; and for such special cases or
 77 classes of cases as the commissioner finds appropriate to prevent
 78 curtailment of employment opportunities, avoid undue hardship and
 79 safeguard the minimum fair wage herein established. Regulations in
 80 effect on July 1, 1973, providing for a board deduction and allowance
 81 in an amount differing from that provided in this section shall be
 82 construed to be amended consistent with this section without the
 83 necessity of convening a wage board or amending said regulations.

This act shall take effect as follows:	
Section 1	<i>July 1, 2002</i>
Sec. 2	<i>July 1, 2002</i>

LAB *Joint Favorable Subst. C/R*

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<i>PD</i>	<i>Joint Favorable C/R</i>	APP
<i>APP</i>	<i>Joint Favorable Subst.</i>	